

Docket No. 10806-65

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Anders Berkenstam et al. : Paper No.  
Serial No.: 09/143,828 : Group Art Unit: 1646  
Filed: August 31, 1998 : Examiner: M. Pak

For: **Novel Vitamin D Receptor Related Polypeptides, Nucleic Acid Sequence Encoding the Same and Uses Thereof**

Box Fee Amendment  
Assistant Commissioner for Patents  
Washington, D. C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

In the Official Action dated October 4, 2000, the Examiner required restriction under 35 U.S.C. §121 to one of the following groups of inventions:

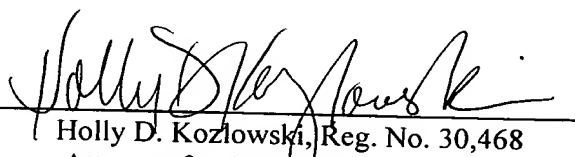
Group	Claims	Subject Matter
I	1-9, 13-17, 32, 33	isolated polynucleotide encoding VDRRg, expression vector, host cell, and method of producing the polypeptide
II	1-9, 13-17, 32, 33	isolated polynucleotide encoding VDRRg 2, expression vector, host cell, and method of producing the polypeptide
III	10, 11	nucleic acid probe
IV	12	method of identifying clones
V	18, 19, 21, 24, 34	isolated VDRRg polypeptide
VI	18, 19, 21, 24, 34	isolated VDRRg 2 polypeptide
VII	20	method to produce antibodies
VIII	22	method for identifying a ligand to which VDRRg polypeptide by cell-based reporter assay

IX	22	method for identifying a ligand by a transgenic animal reporter assay
X	22	method for identifying a ligand by <i>in vitro</i> binding assay
XI	23	method for identifying an agonist
XII	23	method for identifying an antagonist
XIII	29	method for treating by administering nucleic acid vectors
XIV	30, 31, 35-41	method for treatment by administering substance

Applicants hereby elect the invention of group I, claims 1-9, 13-17 and 32-33. This election is made with traverse. More particularly, the Examiner has limited Group I to the nucleic acid encoding VDRRg and has designated as a separate invention the nucleic acid encoding VDRRg2. However, as claims 1-9, 13-17 and 32-33 are generic and the Examiner has indicated that both Groups I and II are classified in class 435, subclass 69.1, Applicants submit that the invention of Groups I and II should be examined together in this application. Accordingly, reconsideration of the restriction requirement and examination of claims 1-9, 13-13 and 32-33, encompassing the nucleic acids encoding VDRRg and VDRRg2, in this application is requested.

It is believed that the above represents a complete response to the restriction requirement. Examination on the merits is respectfully requested.

Respectfully submitted,

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